

By

Wilson

S.B. No. 416

A BILL TO BE ENTITLED

AN ACT

vesting the control and management of
Stephen F. Austin State College in a
Board of Regents created by this Act;
and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. (a) The control and management of
Stephen F. Austin State College is vested in a board of nine
regents, appointed by the governor with the advice and consent of
the Senate.

(b) Except for the initial appointees, members hold office
for terms of six years expiring on January 31 of odd-numbered
years. In making the initial appointments, the governor shall
designate two for terms expiring in 1971, two for terms expiring
in 1973, and two for terms expiring in 1975. Any vacancy shall be
filled by appointment for the unexpired portion of the term.

Sec. 2. Each member of the board shall be a citizen of the
State of Texas and shall take the constitutional oath of office.

Sec. 3. The board shall conduct its first meeting at a time
and place designated by the governor. At its first meeting, the
board shall organize by electing a chairman and any other officer
deemed necessary, and it shall enact bylaws, rules, and regulations
necessary for the successful management and operation of the uni-
versity. As soon as possible after organizing, the board shall
select a president.

Sec. 4. The board shall cause accurate and complete minutes
of its meetings to be maintained. The minutes shall be open to the

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5 B No 416

37 public for inspection at the university during regular business
38 hours and certified copies of the minutes shall be furnished to
39 anyone on payment of a fee set by the board.
40 Sec. 5. The board may sue and be sued in the name of the
41 university. Venue shall be in either Nacogdoches or Travis County.
42 The university may be impleaded by service of citation on its pres-
43 ident, and legislative consent to suits against the university is
44 granted.
45 Sec. 6. Members of the board shall serve without pay, but
46 shall be reimbursed for their actual expenses incurred in attend-
47 ing the work of the board, subject to the approval of the chairman
48 of the board.
49 Sec. 7. The board shall hold an annual meeting on the campus
50 of the university during the month of April, and at other times and
51 places as scheduled by the board or designated by its chairman.
52 Sec. 8. The board shall make reports to the coordinating
53 board as required in Section 23 of the Higher Education Coordinat-
54 ing Act of 1965.

1 Sec. 9. The board of regents created by this Act shall
2 exercise the same powers, duties, and responsibilities concerning
3 Stephen F. Austin State College as were formerly exercised by the
4 Board of Regents, State Senior Colleges.
5 Sec. 10. The importance of this legislation and the crowded
6 condition of the calendars in both Houses create an emergency and
7 an imperative public necessity that the Constitutional Rule requir-
8 ing bills to be read on three several days in each House be sus-
9 pended, and this Rule is hereby suspended; and that this Act take
10 effect and be in force from and after its passage, and it is so
11 enacted.
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Austin, Texas

April 10, 1969

Hon. Ben Barnes
President of the Senate

Sir:

We, your Committee on State Affairs,
to which was referred S. B. No. 416, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.

Moore

Chairman

BILL ANALYSIS

(Wilson)

PURPOSE OF THE BILL:

1. S.B. 416 proposes to establish a Board of Regents for control and management of Stephen F. Austin State College, with powers to elect a chairman and any officers necessary, to enact bylaws, rules and regulations necessary, and select a president.
2. TERMS of Officer SIX YEARS for the NINE MEMBERS (Section 1b)
3. MINUTES OF THE BOARD ARE OPEN TO THE PUBLIC DURING REGULAR BUSINESS HOURS (Section 4)
4. Board may sue and be sued, with venue in Nacogdoches or Travis Counties
5. Members of Board of reimbursed for actual expenses.
6. Annual meeting on campus during month of April, with other meetings at other places designated by the chairman.
7. Same powers and duties as formerly exercised by Board of Regents of State Senior Colleges over Stephen F. Austin STATE College.
8. Section 10: Emergency clause.

Bennie Bock
Senate State Affairs.

captioned by S. H. Wilson
By: Wilson

S. B. No. 416

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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Stephen F. Austin State College is vested in a board of nine regents, appointed by the governor with the advice and consent of the Senate.

Hinson amendment ~~(b) Except for the initial appointees, members hold office for terms of six years expiring on January 31 of odd-numbered years. In making the initial appointments, the governor shall designate two for terms expiring in 1971, two for terms expiring in 1973, and two for terms expiring in 1975. Any vacancy shall be filled by appointment for the unexpired portion of the term.~~

Sec. 2. Each member of the board shall be a citizen of the State of Texas and shall take the constitutional oath of office.

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Sec. 4. The board shall cause accurate and complete minutes of its meetings to be maintained. The minutes shall be open to the

public for inspection at the university during regular business hours and certified copies of the minutes shall be furnished to anyone on payment of a fee set by the board. _____

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Sec. 6. Members of the board shall serve without pay, but shall be reimbursed for their actual expenses incurred in attending the work of the board, subject to the approval of the chairman of the board. _____

Sec. 7. The board shall hold an annual meeting on the campus of the university during the month of April, and at other times and places as scheduled by the board or designated by its chairman. _____

Sec. 8. The board shall make reports to the coordinating board as required in Section 23 of the Higher Education Coordinating Act of 1965. _____

Sec. 9. The board of regents created by this Act shall exercise the same powers, duties, and responsibilities concerning Stephen F. Austin State College as were formerly exercised by the Board of Regents, State Senior Colleges. _____

Sec. 10. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted. _____

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date May 5, 1969,

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Higher Education, to whom was

referred SB No. 416, have had the same under consideration

and beg to report back with recommendation that it { ~~do~~ } pass, and be printed

Newton G. Murray
Chairman

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE REPORT

Date 5-9-69

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Higher Education, to whom was referred S.B. No. 416, have had the same under consideration and beg to report back with recommendation that it do pass, as amended, and be printed.

Newton X. Denny
Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.)

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.)

①
By Hinson

Committee Amendment No. 1

AMEND SB 416 by striking out all the provisions in Section 1 (b) and by inserting in lieu thereof the following: "Section 1 (b) ~~Except~~ for the initial appointees, members of the Board shall hold office for terms of six (6) years expiring on January 31 of odd-numbered years. In making the initial appointments, the Governor shall designate two for terms expiring in 1971, two for terms expiring in 1973, and two for terms expiring in 1975. Any vacancy shall be filled by appointment for the unexpired portion of the term. Not more than two (2) members of said Board of Regents shall be appointed from or be a resident of any one (1) State Senatorial District, and no member of the said board may be appointed from or be a resident of the county in which the University is located."

*Hinson
Amend.
Page 1
May 16, 1969*

MAY 16 1969

DATE

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

COMMITTEE AMENDMENT
NO. 1

AN ACT

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Sec. 9. The board of regents created by this Act shall exercise the same powers, duties, and responsibilities concerning Stephen F. Austin State College as were formerly exercised by the Board of Regents, State Senior Colleges.

Sec. 10. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Lieutenant Governor

Speaker of the House

I hereby certify that S. B. No. 416 passed the Senate on April 22, 1969, by the following vote: Yeas 25, Nays 5;
May 26, 1969, Senate concurred in House amendment by a viva voce vote.

Secretary of the Senate

I hereby certify that S. B. No. 416 passed the House on May 16, 1969, with amendment, by the following vote:
Yeas 142, Nays 0.

Chief Clerk of the House

Approved:

6-21-69
Date

Vetoed
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:35 AM O'CLOCK

JUN 21 1969

Secretary of State

PROCLAMATION

BY THE

Governor of the State of Texas

41-1332

TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 21, 1969

I disapprove, veto, and am filing with the Secretary of State Senate Bill 416, for the following reasons:

Pursuant to Attorney General's opinion No. m-422 "the provisions of Senate Bill 416, Acts of the 61st Legislature, Regular Session, 1969, creating a Board of Regents for Stephen F. Austin State College provides for a nine-member board and a six-member board. Its provisions, therefore, are so inharmonious and conflicting as to render such provisions void.

Senate Bill 416 was received May 30, 1969, less than ten days prior to the adjournment of the Regular Session of the 61st Legislature. In accordance with Article IV, Section 14 of the Texas Constitution, I am filing this proclamation together with the bill, in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 21st day of June, A. D., 1969.


PRESTON SMITH

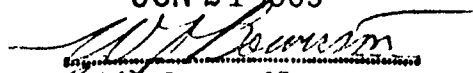
GOVERNOR OF TEXAS

By the Governor:

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:35 AM O'CLOCK

JUN 21 1969


W. P. Beaman
Secretary of State


W. P. Beaman
Secretary of State

S.B.
S.F.

No. **416**

By Wilson

A BILL TO BE ENTITLED:

AN ACT vesting the control and management of S.F.A.
in Board of Regents; and declaring an emergency.

MAR 3 1969

Filed with the Secretary of the Senate

MAR 10 1969

Read, referred to Committee on State Affairs

APR 10 1969

Reported favorably.

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

APR 22 1969

Senate and Constitutional Rules to permit consideration suspended by
{ unanimous consent.
_____ yeas, _____ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

APR 22 1969

Read second time and { ordered engrossed.
~~passed to third reading.~~

Caption ordered amended to conform to body of bill.

APR 22 1969

Senate and Constitutional 3-Day Rules suspended by vote of
26 yeas, 3 nays to place bill on third reading and final passage.

APR 22 1969

Read third time and passed by { ~~a viva-voce vote.~~
25 yeas, 5 nays.

OTHER ACTION:

Charles Schnabel
Secretary of the Senate

4-22-69

Engrossed. _____

Essie McGinnis

ENGROSSING CLERK

APR 24 1969 Sent to HOUSE

APR 24 1969

S.B. 416

Received from
the Senate.

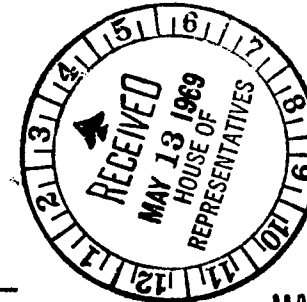
Dorothy Hallman
Chief Clerk, House of Representatives

READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Higher Education

Dorothy Hallman APR 28 1969

Chief Clerk, House of Representatives



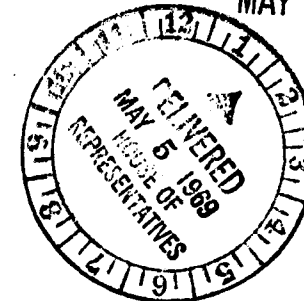
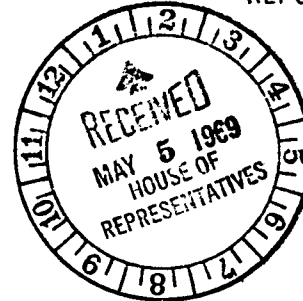
MAY 16 1969

Motion to suspend all necessary rules
to consider, prevailed by non-record vote

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 5 1969

REPORTED FAVORABLY SENT TO PRINTER



MAY 16 1969

Read Second Time amended and passed to
third reading by vote non-record yeas, _____ nays.

Dorothy Hallman
Chief Clerk, House of Representatives

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

3:30 P.M. MAY 13 1969
(Date)

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 1:30 P.M. MAY 5 1969
(Time) (Date)

MAY 13 1969
MAY 13 1969

REPORTED FAVORABLY AS AMENDED SENT TO PRINTER

MAY 16 1969

Read third time

by following vote yeas 142 and Passed

Nays 0

Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

MAY 16 1969

MOTION TO RECONSIDER THE VOTE BY WHICH S B 416 WAS ADOPTED / PASSED AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A Yea VOTE OF

AYES AND

NAYES

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 16 1969

Unanimous consent granted to amend caption of House Bill No. 416 to conform to body of bill.

MAY 26 1969

Senate concurred in House amendments by viva voce vote.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 16 1969

RETURNED TO SENATE

MAY 16 1969

RETURNED

FROM HOUSE

with amendment

Wilson

Received
5/30